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**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**MOTION FOR ORDER REQUIRING  
MARY ANTINORA TO PRODUCE  
DOCUMENTS AND FOR  
EXAMINATION TO APPEAR  
PURSUANT TO FEDERAL RULE  
OF BANKRUPTCY PROCEDURE  
2004**

[No hearing required]

Pursuant to Federal Rule of Bankruptcy Procedure 2004, the USACM Liquidating Trust (the "Trust" or "Movant") hereby moves this Court for an order requiring Mary Antinora ("Antinora") to produce documents and to appear for examination at the office of Chicago Title, 560 E. Hospitality Lane, San Bernardino, California 92408, on January 25,

1 2008 at 9:00 a.m., or at such other mutually agreeable location, date, and time, and  
2 continuing from day to day thereafter until completed, as set forth in the subpoena to be  
3 issued under Federal Rule of Bankruptcy Procedure 9016.  
4

5 This Motion is further explained in the following Memorandum.

6 **Memorandum**

7 The Trust seeks information concerning various transactions between Orange Coast  
8 Title ("Orange Coast") and USACM, the other debtors in the above-captioned cases  
9 (together with USACM, the "Debtors"), and the Debtors' affiliates, subsidiaries, parents,  
10 or otherwise related entities. Orange Coast was one of several title companies that served  
11 as escrow agents in the loan transactions between the Debtors and their borrowers.  
12

13 Antinora was the officer who handled the vast majority of these transactions for  
14 Orange Coast. She is no longer employed by Orange Coast. Orange Coast is in the  
15 process of producing their records pursuant to a separate Rule 2004 subpoena; however,  
16 representatives from Orange Coast have stated that there is no one other than Antinora  
17 who can adequately testify regarding the majority of the transactions.  
18

19 The Trust seeks this information from the Antinora to assist in the collection of the  
20 assets and the investigation of the liabilities of the Debtors.  
21

22 The requested discovery from Orange Coast is within the scope of examination  
23 permitted under Bankruptcy Rule 2004, which includes:  
24

25 [t]he acts, conduct, or property or . . . the liabilities and financial condition  
26 of the debtor, or . . . any matter which may affect the administration of the  
debtor's estate, or to the debtor's right to a discharge. In a . . .  
reorganization case under chapter 11 of the Code, . . . the examination may  
also relate to the operation of any business and the desirability of its  
continuance, the source of any money or property acquired or to be acquired

1 by the debtor for purposes of consummating a plan and the consideration  
2 given or offered therefore, and any other matter relevant to the case or to the  
3 formulation of a plan.

4 **Conclusion**

5 Accordingly, the Trust requests that this Court enter the form of order submitted  
6 with this Motion.

7 Dated: January 8, 2008.

8 **DIAMOND MCCARTHY LLP**

**LEWIS AND ROCA LLP**

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<sup>1</sup> FED.R. BANKR. P. 2004(b).